

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON IMMEDIATE

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E.O. 11652: N/A

TAGS: EGEN

SUBJ: CONGRESSIONAL INQUIRY RE DELINQUENT POSTAL CHARGES

FOR FREEMAN INMARSAT DEL

1. LEGAL ADVISER HAS BEEN REQUESTED TO ANSWER FOLLOWING QUESTION FOR RECORD IN CONNECTION WITH STATE DEPARTMENT BUDGET HEARING:

"Q: UNDER THE POSTAL CONVENTION, CARRIERS ARE ENTITLED TO INTEREST ON UNPAID BILLINGS. DOES THE STATE DEPARTMENT ATTEMPT TO COLLECT INTEREST AS WELL AS PRINCIPAL? WHY OR WHY NOT? HOW MUCH INTEREST HAS BEEN COLLECTED OVER THE PAST THREE YEARS?

2. WE PROPOSE TO SUBMIT FOLLOWING ANSWER AND REQUEST YOUR CONCURRENCE:

QTE ALTHOUGH INTEREST CHARGES ARE PERMITTED UNDER THE REGULATIONS OF THE UNIVERSAL POSTAL CONVENTION, CUSTOMARILY SUCH AMOUNTS ARE NOT CHARGED. FREQUENTLY MORE THAN FOUR MONTHS WILL BE CONSUMED IN NECESSARY ADMINISTRATIVE WORK IN DEVELOPING THE CORRECT, AGREED AMOUNT OWED. FOLLOWING SUCH AGREEMENT PAYMENT IS VIRTUALLY ALWAYS MADE WITHIN A

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SHORT PERIOD (I.E., 30-45 DAYS). FURTHERMORE, IF INTEREST

WERE TO BE ASSESSED UPON EXPIRATION OF A FOUR MONTH PERIOD

FOLLOWING INITIAL RECEIPT OF THE STATEMENT, THE U.S. COULD WELL BE IN A POSITION OF OWING MORE INTEREST THAN IT WOULD RECEIVE. WE SHOULD ALSO ADD THAT WE DO NOT NECESSARILY ACCEPT AS A MATTER OF LEGAL INTERPRETATION, THE PROPOSITION THAT INTEREST MAY COMMENCE TO ACCRUE UPON INITIAL RECEIPT OF THE STATEMENT. UNQTE THIS ANSWER HAS BEEN CLEARED WITH MRS. SLOAN OF USPS.

3. THE FOLLOWING QUESTION WAS ALSO ASKED:

QTE DOES THE STATE DEPARTMENT HAVE AUTHORITY TO WITHHOLD ANY TYPE OF PAYMENT OR IMPOSE ANY SANCTION ON NATIONS FAILING TO PAY THEIR POSTAL BILLS? IF SO, WHAT IS THE AUTHORIZATION, AND WHY OR WHY NOT HAS IT BEEN USED? UNQTE

4. REQUEST YOU CONCUR IN THE FOLLOWING ANSWER:

QTE THE STATE DEPARTMENT HAS NO SUCH AUTHORITY. WE UNDERSTAND THAT A PROVISION IS FREQUENTLY INCLUDED IN PL-480 AGREEMENTS REQUIRING THAT THE COUNTRY INVOLVED PAY ANY DELINQUENT POSTAL DEBTS. UNQTE

5. WE HAVE WASHINGTON COB MONDAY DEADLINE. WOULD APPRECIATE IMMEDIATE RESPONSE. KISSINGER

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